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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 JOSE VELASQUEZ-MORALES,

9 Petitioner,

10 v.

11 ICE FIELD OFFICE DIRECTOR,

12 Respondent.

Case No. C19-0515-RSM-MAT

ORDER DENYING MOTION TO  
APPOINT COUNSEL WITHOUT  
PREJUDICE

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14 Petitioner, a native and citizen of Mexico who is currently detained by U.S. Immigration  
15 Customs and Enforcement at the Northwest Detention Center, initiated this 28 U.S.C. § 2241  
16 habeas action to obtain release from immigration detention or, alternatively, a bond hearing. (*See*  
17 Dkt. 3.) Currently before the Court is petitioner's motion to appoint counsel, which the  
18 Government did not oppose. (Dkt. 5.) Also pending is the Government's motion to dismiss for  
19 failure to exhaust administrative remedies, which is noted for June 14, 2019. (Dkt. 7.)

20 When the interests of justice so require, the Court may appoint counsel to represent any  
21 financially eligible individual who is seeking relief under § 2241. 18 U.S.C. § 3006A(a)(2)(B). A  
22 person is financially eligible if he or she is "financially unable to obtain adequate representation .  
23 . . ." 18 U.S.C. § 3006A(a).

ORDER DENYING MOTION TO  
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1       There is no information in the record regarding petitioner's financial eligibility.  
2 Accordingly, the Court DENIES petitioner's motion to appoint counsel (Dkt. 5) without prejudice  
3 to refiling a motion that addresses both financial eligibility and the interests of justice. Petitioner  
4 may provide the necessary information related to financial eligibility by completing and submitting  
5 an application to proceed *in forma pauperis*. Petitioner should file any revised motion to appoint  
6 counsel by June 14, 2019, which is the noting date for the Government's motion to dismiss.

7       The Clerk is directed to send copies of this order to the parties and to the Honorable Ricardo  
8 S. Martinez, and to also send petitioner an application to proceed *in forma pauperis*.

9       Dated this 28th day of May, 2019.

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12       Mary Alice Theiler  
13       United States Magistrate Judge  
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